DELEGATED DECISION REPORT

SMD/2017/0342	**43 NOVI LANE**	**DEMOLITION OF CONSERVATORY AND CONSTRUCTION OF 2 STOREY SIDE EXTENSION TO FORM KITCHEN/FAMILY ROOM WITH BEDROOM ABOVE**
Valid 22/05/2017	**LEEK**	**(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Design
- Amenity

DESCRIPTION OF SITE

The application site comprises a small parcel of land which sits immediately to the south of Novi Lane Leek. The site contains a two storey semi detached dwelling (No.43) which shares a corner plot, partition wall and western boundary, with No.26 Milner Terrace; the boundary defined by a thick hedgerow. The site has direct access to Novi Lane. A private parking area stands to the front of the house whilst an existing single storey UPVC conservatory sits off the north eastern (side) elevation by approximately 3.1m. To the rear is a small amenity garden area which contains an ancillary shed.

The dwelling has a hipped roof constructed of blue plain clay tiles, and has external walls constructed of a red/brown imperial brick. The semi detached property is set some 6m back from the public highway at its nearest point and is set at an angle so as the front principal elevation faces north westwards.

The site has a northern boundary with Novi Lane; an eastern boundary with No.41 Novi Lane at a distance of 9m, and a southern boundary with No.27 Hall Avenue. The rear elevation of No.27 Hall Avenue lies some 20m to the south of No.43 Novi Lane. The dwelling measures approximately 8.2m in length up to the partition wall with No.26 Milner Terrace and has a depth of 6.0m.

PROPOSAL

The application seeks consent to demolish the existing side conservatory and construct a two storey side extension to form a kitchen/family room with bedroom above.

The submitted elevation plans (Drawing No. 1473-02-A) show that the proposed extension extends outwards from the side elevation by some 3.2m. The drawing also shows that the extension would be slightly set back from the front elevation (350mm) with the proposed ridgeline of the extension being set slightly down from the main ridgeline (250mm).

With regards to fenestration, the proposed plans show that the front elevation would incorporate two windows (one on each floor) which are of a similar style and size to those which exist within the main dwelling. The rear elevation of the extension proposes a ground floor window. No windows or doors are proposed in the side elevation facing No.41 Novi Lane.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The local development plan for this site comprises the Staffordshire Moorlands Core Strategy (adopted 26th March 2014) and any relevant Supplementary Planning Documents (SPD's).

The National Planning Policy Framework (NPPF) published in March 2012 sets out the Governments planning policies for England and how these are expected to be applied. As stated in paragraph 2 of the NPPF, the document is a material consideration which must be taken into account in planning decisions.

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
DC1 Design Considerations

National Planning Policy Framework

Achieving Sustainable Development	Paragraphs 1-17
Requiring Good Design	Chapter 7

Supplementary Planning Documents (SPD's)

Staffordshire Moorlands 'Design Guidance' SPD

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 11th July 2017
Neighbour consultation period ends: 28th June 2017
Press Advert: N/A

Public Comments

None Received

Town / Parish Comments

Leek Town Council – No Objection

OFFICER COMMENTS

Principle of Development

Policy SS1a of the adopted core strategy reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF).

Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with the development plan without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies indicate development should be restricted.

The proposed development lies within the residential curtilage of the dwelling. The site is situated within the development boundary and is not constrained by any sensitive statutory designation as defined on the adopted Policies Map. As such the site is not subject to any restrictive policy areas as listed at footnote 9 to paragraph 14 of the NPPF. As such the presumption in favour of sustainable development is engaged.

In light of the above, it is considered that the principle of development is acceptable subject to the application demonstrating compliance with national and local planning policies relating to Design and Amenity.

Design

Policy SS1 of the adopted core strategy sets out a number of development principles which new development should adhere to in order to contribute positively to the social, economic, and environmental improvement of the Staffordshire Moorlands.

Policy DC1 of the adopted core strategy sets out a list of design considerations that new development should incorporate into any new scheme. It states that all

development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area.

Chapter 7 of the NPPF highlights the importance of good design, that good design is indivisible from planning and should contribute positively to making places better for people.

The dwelling is set back from the public highway and at an angle, facing north westwards whilst neighbouring properties face northwards. It is considered that the nature of this plot allows for a modest extension which is proportionate to the main dwelling to be accommodated without having any adverse impact to the overall character of the street scene.

The overall length of the dwelling is 8.7m; the proposed development extends by some 3.2m. By proposing an extension which is less than half the length of the existing dwelling which is set back from the front elevation and sits subordinate to the main ridgeline, it is considered that the proposed extension is of an appropriate scale, height and massing which is in keeping with the existing building and can be accommodated within the plot without appearing cramped.

The original plans submitted showed the extension as being set back from the front elevation of the main dwelling by 350mm. Due to the well established line in this part of Leek, it was considered that the extension should be amended to show a greater set back distance. Following discussions with the applicant's agent, revised plans were submitted (Drawing Ref: 1473-02-B) which shows a set back distance of 700mm. This is considered to be acceptable in design terms.

The proposed extension would be constructed of similar materials and finish to the original dwelling and overall, is considered to represent good design in line with principles set out within policies S1 and DC1 of the adopted core strategy and Design Guidance SPD.

Amenity

Policy DC1 of the adopted core strategy requires development to protect the amenity of the area, including residential amenity, which refers to impacts in terms of satisfactory daylight, sunlight, outlook, and privacy.

Paragraph 17 of the NPPF highlights twelve principles that should underpin both plan-making and decision taking. One such principle is that planning should always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings.

The sole residential property which has the potential to be impacted by the proposed development is No.41 Novi Lane, which stands approximately 9m to the east. The side gable of No.41 faces the side gable of No.43 with the latter having a principal elevation which directly faces the highway as opposed to at an angle. The boundary is defined by a thick hedge.

Given that there are no windows in the first floor of the side elevation of No.41 and that there are no proposed windows to the side elevation of the proposed extension it is not considered that any harm to the residential amenity of either property would occur. As such the application has demonstrated compliance with policies S1 and DC1 of the adopted core strategy and relevant policies within Chapter 7 of the NPPF.

CONCLUSION / PLANNING BALANCE

The application seeks consent to demolish an existing side conservatory and construct a two storey side extension on the north eastern elevation of No.43 Novi Lane, Leek. The site is situated within the development boundary and is not constrained by any restrictive NPPF policies. The presumption in favour of sustainable development is therefore engaged.

The proposed plans (as revised) are considered to represent an extension which is proportionate to the existing dwelling which has been designed in line with the principles set out within the adopted core strategy and supporting Design Guidance SPD. There are not considered to be any issues relating to residential amenity given the lack of fenestration in existing facing elevations and in the proposed side elevation.

Overall, it is considered that the application accords with all relevant local development plan policies and other material considerations which include the NPPF. The application is therefore considered to constitute sustainable development and is recommended for approval subject to appropriate conditions being attached.

OFFICER RECOMMENDATION: Approve with Conditions

Case Officer: James Stannard
Recommendation Date: 24th July 2017

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council